

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PETER BEARD STUDIO, LLC, :

07 Civ. 3184 (LLS)

Plaintiff, :

v. :

LUCA GIUSSANI and ARNE ZIMMERMAN, :

Defendants. :

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NOTICE OF CROSS-MOTION TO DISMISS COMPLAINT
AND VACATE TEMPORARY RESTRAINING ORDER
OR IN THE ALTERNATIVE TO INCREASE INJUNCTION BOND

PLEASE TAKE NOTICE that upon the Declaration of Luca Giussani dated April 30, 2007 and the exhibits thereto, and the accompanying Memorandum of Law, Defendant Luca Giussani will move this court before the Honorable Louis L. Stanton, United States District Judge, on April 30 2007 or such other date and time as soon thereafter as the Court may order for an Order pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure dismissing this action for lack of subject matter jurisdiction and failure to state a claim against Defendant Luca Giussani; vacating the temporary restraining order or, in the alternative, increasing the injunction bond and for such other and further relief as justice may require.

Dated: New York, New York
April 30, 2007

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